

Wilberforce Chambers – Complaints Procedure

1. Our aim is to deliver an excellent service at all times. However, if you have a complaint you are invited to let us know as soon as possible. It is not necessary to involve solicitors in order to make your complaint, but you are free to do so should you wish.
2. Please note that Chambers will only consider complaints that are raised within 12 months of the act or omission complained of.
3. There may be occasions when the nature or circumstances of a complaint make it more appropriate – e.g. because the complaint might raise an allegation of professional misconduct – to be dealt with by the Bar Standards Board or the Legal Ombudsman rather than through this complaints procedure. If we reach this conclusion in relation to any complaint we will tell you promptly. It will then be a matter for you to decide whether you wish to raise the complaint with the Bar Standards Board or the Legal Ombudsman. Further details on this are given in paragraphs 13 to 15 below.

Complaints Made by Telephone

4. You may wish to make a complaint in writing and, if so, please follow the procedure in paragraph 7 below. However, if you would rather speak on the telephone about your complaint then please telephone one of our Directors – John Treacy (Executive Director) or Nicholas Luckman (Practice Director) – who are the individuals nominated under the chambers’ complaints procedure to deal with complaints. Or, if the complaint is about John Treacy or Nicholas Luckman, the Head of Chambers, Brian Green QC.
5. The person you contact will make a note of the details of your complaint and what you would like done about it. He will discuss your concerns with you and aim to resolve them. If the matter is resolved he will record the outcome, check that you are satisfied with the outcome and record that you are satisfied. You may also wish to record the outcome of the telephone discussion in writing. Matters resolved in fee negotiations will not usually be recorded as a formal complaint unless the complainant has requested it to be recorded as such. Many complaints may be resolved on the spot. Speed, sympathy and a willingness to listen are all that may be necessary to resolve a complaint. It may be possible to resolve the matter at an early stage by an appropriate explanation or apology.
6. If your complaint is not resolved on the telephone you will be invited to write to us about it within the next 14 days so it can be investigated formally.

Complaints made in Writing

7. Please give the following details:
 - Your name and address;
 - Which member(s) of Chambers or staff you are complaining about;
 - The detail of the complaint; and

- What you would like done about it.
8. Please address your letter in the first instance to John Treacy, Executive Director, Wilberforce Chambers, 8 New Square, Lincoln's Inn, London, WC2A 3QP (or, if the complaint is about John Treacy, to the Head of Chambers, Brian Green QC, at the same address). We will, where possible, acknowledge receipt of your complaint within two days and provide you with details of how your complaint will be dealt with.
 9. Any complaint will normally be investigated by one of our Directors and the Head of Chambers or another Queen's Counsel nominated by the Head of Chambers (if the complaint is about the Head of Chambers, it will be investigated by the next most senior QC in Chambers). In any case, the person appointed to investigate the complaint will be someone other than the person you are complaining about.
 10. The person appointed to investigate will write to you as soon as possible to let you know he has been appointed and that he will reply to your complaint within 14 days. If he finds later that he is not going to be able to reply within 14 days he will set a new date for his reply and inform you. His reply will set out:
 - The nature and scope of his investigation;
 - His conclusion on each complaint and the basis for his conclusion; and
 - If he finds that you are justified in your complaint, his proposals for resolving the complaint.

Confidentiality

11. All conversations and documents relating to the complaint will be treated as confidential and will be disclosed only to the extent that is necessary. Disclosure will be to the relevant Director, the Head of Chambers and to anyone involved in the complaint and its investigation. Such people will include the barrister or staff member who you have complained about, and the individuals who have been appointed to investigate the complaint. The Bar Standards Board is entitled to inspect the documents and seek information about the complaint when discharging its auditing and monitoring functions. By making a complaint, you give permission to the barrister or staff member against whom complaint is made and to those involved in the investigation of it to use all of your privileged or confidential material for the purpose of dealing with the complaint or any further process involving similar subject matter to the complaint or in which the complaint comes under consideration. This permission is not, however, intended to be a general waiver of confidentiality or privilege which shall continue to apply for other purposes. This limited waiver is necessary to ensure fair determination of the complaint.

Our Policy

12. As part of our commitment to client care we make a written record of any complaint and retain all documents and correspondence generated by the complaint for a period of six years. Our Executive Director inspects a record of complaints regularly with a view to improving services.

Complaints to the Legal Ombudsman or the Bar Standards Board

13. As per paragraph 3 above, if after investigation we consider that it is more appropriate, or if you are unhappy with the outcome of our investigation, you may take up your complaint with the Legal Ombudsman or the Bar Standards Board. In general terms, the Legal Ombudsman will deal with complaints from clients of barristers about the services provided by barristers, and the Bar Standards Board will deal with complaints about professional misconduct and disciplinary matters. In procedural terms, however, any complaint should always be addressed in the first instance to the Legal Ombudsman which acts as a single point of contact for all complaints, and will ensure that any complaints that relate to professional misconduct are referred to the Bar Standards Board to deal with.
14. Ordinarily, the Legal Ombudsman will consider your complaint if it meets all three of the conditions below:
- i. The problem or when you found out about it, happened after 5 October 2010;
and
 - ii. You are referring your complaint to the Legal Ombudsman within either of the following:
 - Six years of the problem happening; or
 - Three years from when you found out about it; *and*
 - iii. You are referring your complaint to them within six months of our final response.
15. The contact details for the Legal Ombudsman are as follows:

Email: www.legalombudsman.org.uk

Telephone: 0330 555 0333

Postal Address: Legal Ombudsman, PO Box 6806, Wolverhampton WV1 9WJ

Updated July 2020